

REMARKS

In the non-final Office Action, the Examiner rejects claims 1, 2, 5, 8-10, 14, 16, 17, and 20 under 35 U.S.C. § 102(e) as anticipated by SUURONEN et al. (U.S. Patent Application Publication No. 2003/0145228); and rejects claims 3, 4, 6, 7, 11-13, 15, 18, 19, 21, and 22 under 35 U.S.C. § 103(a) as unpatentable over SUURONEN et al. Applicants respectfully traverse these rejections.¹

By way of the present amendment, Applicants cancel claims 2, 3, 11, 17, 18, and 23-28 without prejudice or disclaimer and amend claims 1, 4, 5, 7-10, 12-14, 16, 19, 20, and 22 to improve form. Claims 1, 4-10, 12-16, and 19-22 are pending.

Pending claims 1, 5, 8-10, 14, 16, and 20 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by SUURONEN et al. Applicants traverse this rejection.

Amended independent claim 1 recites a device that includes at least one interface configured to receive data transmitted via a network; a firewall configured to: receive data from the at least one interface, determine whether the data potentially contains malicious content, and identify first data in the received data that potentially contains malicious content; intrusion detection logic configured to: receive the first data, and generate report information based on the first data; and forwarding logic configured to: receive the report information, forward the first data for processing by a user application when the report information indicates that the first data does not contain malicious content; and forward the report information to a remote central management system when

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine reference, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

the report information indicates that the first data potentially contains malicious content, the report information allowing the remote central management system to make a forwarding decision on behalf of the device. SUURONEN et al. does not disclose or suggest this combination of features.

For example, SUURONEN et al. does not disclose or suggest forwarding logic configured to forward the first data for processing by a user application when the report information indicates that the first data does not contain malicious content; and forward the report information to a remote central management system when the report information indicates that the first data potentially contains malicious content, the report information allowing the remote central management system to make a forwarding decision on behalf of the device.

SUURONEN et al. discloses a gateway, which includes a firewall, that receives data packets from a first network. The data packets are classified by the firewall into a first type of data packets that cannot contain a virus and a second type of data packets that may contain viruses (paragraph 0019). The first type of data packets are transmitted to their destinations and the second type of data packets are forwarded to a virus scanning engine included in the gateway (paragraph 0019). Because all of the processing of the data packets occurs within the gateway, SUURONEN et al. specifically teaches away from forwarding logic configured to forward the first data for processing by a user application when the report information indicates that the first data does not contain malicious content; and forward the report information to a remote central management system when the report information indicates that the first data potentially contains

malicious content, the report information allowing the remote central management system to make a forwarding decision on behalf of the device, as recited in claim 1.

Accordingly, withdrawal of the rejection and allowance of claim 1 are respectfully requested.

Claims 5, 8, and 9 depend from claim 1. Therefore, these claims are not anticipated by SUURONEN et al. for at least the reasons given above with respect to claim 1.

Amended independent claims 10 and 16 recite features similar to, yet possibly of different scope than, features recited above with respect to claim 1. Therefore, Applicants submit that claims 10 and 16 are not anticipated by SUURONEN et al. for reasons similar to the reasons given above with respect to claim 1.

Claim 14 depends from claim 10. Therefore, this claim is not anticipated by SUURONEN et al. for at least the reasons given above with respect to claim 10.

Claim 20 depends from claim 16. Therefore, this claim is not anticipated by SUURONEN et al. for at least the reasons given above with respect to claim 16.

Pending claims 4, 6, 7, 12, 13, 15, 19, 21, and 22 stand rejected under 35 U.S.C. § 103(a) as unpatentable over SUURONEN et al. Applicants traverse this rejection.

Claims 4, 6 and 7 depend from claim 1. Therefore, Applicants submit that claims 4, 6, and 7 are patentable over SUURONEN et al. for the reasons given above with respect to claim 1.

Claims 12, 13, and 15 depend from claim 10. Therefore, Applicants submit that claims 12, 13, and 15 are patentable over SUURONEN et al. for the reasons given above with respect to claim 10.

Claims 19, 21, and 22 depend from claim 16. Therefore, Applicants submit that claims 19, 21, and 22 are patentable over SUURONEN et al. for the reasons given above with respect to claim 16.

In view of the foregoing amendments and remarks, Applicants respectfully request withdrawal of the outstanding rejections and the timely allowance of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY SNYDER, L.L.P.

By: /Meagan S. Walling/
Meagan S. Walling
Reg. No. 60,112

Date: May 11, 2007

11350 Random Hill Road
Suite 600
Fairfax, VA 22030
(571) 432-0800

Customer Number: 25537